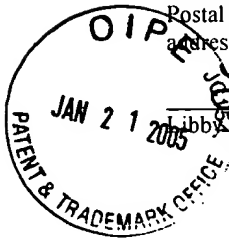


**CERTIFICATE OF MAILING**

Ref. No.: 12439-0067 (P130-US)

hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on January 18, 2005 in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



2839  
IPW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No : 09/746,716 Confirmation No. 1179  
Applicant : Grube  
Filed : December 22, 2000  
TC/A.U : 2839  
Examiner : Neil Abrams

Docket No. : 276440-11

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Listed on an attached Form PTO/SB/08A is information known to applicant(s).

Applicants ask that the attached Form PTO/SB/08A be initialed and returned in accordance with MPEP §609. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

- ☐ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):
- ☐ It is being filed within 3 months of the application filing date (other than the filing date of a continued prosecution application under §1.53(d)); or
  - ☐ It is being filed within 3 months of entry of a national stage; or
  - ☐ It is being filed before the mail date of the first Office Action on the merits; or
  - ☐ It is being filed before the mail date of the first Office Action after the filing of a request for continued examination under §1.114.

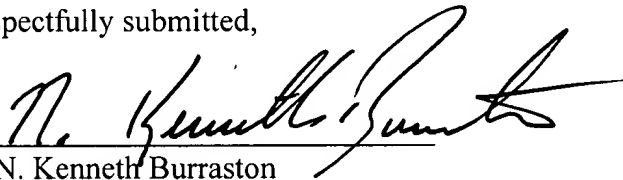
- ☒ 37 C.F.R. §1.97(c). If this statement is being filed three months after the filing date of a national application or entry of the national stage in an international application and the mailing date of a first Office action on the merits but before the mailing date of the earlier of a final office action, a notice of allowance, or an action that otherwise closes prosecution in the application, then:
- ☒ a statement as specified in §1.97(e) is provided below; or
- ☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, but before payment of the issue fee, then:
- a statement as specified in §1.97(e) is provided below; and
- a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

*Fee:*

- ☒ No fee is due.
- ☐ A check that includes \$\_\_\_\_\_ for the above-identified fee(s) is enclosed.
- ☐ This statement is filed as one part of a multi-part submission. The fee for the complete submission was included in an electronically filed submission on \_\_\_\_\_. Applicants request the foregoing fee be accepted for this statement. (See OG Notice dated 17 September 2002.)

Respectfully submitted,

Date: January 18, 2005

By   
N. Kenneth Burraston  
Reg. No. 39,923

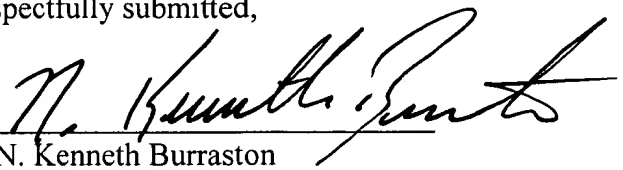
Kirton & McConkie  
1800 Eagle Gate Tower  
60 East South Temple  
P.O. Box 45120  
Salt Lake City, Utah 84111-1004  
Telephone: (801) 323-5934  
Fax: (801) 321-4893

**STATEMENT UNDER 37 § C.F.R. 1.97(e)**

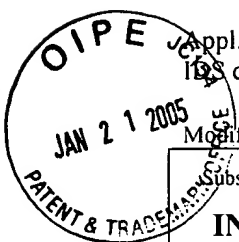
- ☒ 37 C.F.R. §1.97(e)(1). The undersigned hereby states that each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement; or
- ☐ 37 C.F.R. §1.97(e)(2). The undersigned hereby states that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in § 1.56(c) more than three months prior to the filing of this statement.

Respectfully submitted,

Date: January 18, 2005

By   
N. Kenneth Burraston  
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Appl. no. 09/746,716  
US dated January 18, 2005

Modified Form PTO/SB/08A

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<i>Complete If Known</i>	
				Application Number	09/746,716
				Filing Date	December 22, 2000
				First Named Inventor	Grube
				Group Art Unit	2839
Examiner Name	Neil Abrams				
Sheet	1	of	1	Attorney Docket No.	P130-US

U.S. PUBLISHED PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant	Publ./Issue Date	Related <sup>#</sup>	Copy Enclosed
		Number	Kind Code <sup>2</sup>				
	1.	4961052		Tada et al.	10/2/1990		Yes
	2.	5828226		Higgins et al.	10/27/1998		Yes

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant	Publ. Date	T <sup>6</sup>	Copy Enclosed
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup>				
	3.	JP	63-062343		Nakao	3/18/1988	x	Yes

Examiner Signature		Date Considered	
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\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

\*\* Reference cited in parent application US Serial No. \_\_\_. 37 CFR § 1.98(d)

\*\*\* Pre-OG Notice By Deputy Commissioner Stephen G. Kunin dated July 11, 2003 waiving the requirement to file copies of US patent publications in applications filed after June 30, 2003.

& Notice dated October 19, 2004 by Deputy Commissioner for Patent Examination Policy waiving requirement to file copies of pending US patent applications if the applications are stored in the USPTO's IFW system.

# Commonly owned US patent or application whose subject matter may be related to the subject matter of the instance patent application.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No : 09/746,716 Confirmation No. 1179  
Applicant : Grube  
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Examiner : Neil Abrams  
  
Docket No. : 276440-11

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**GENERAL AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT**

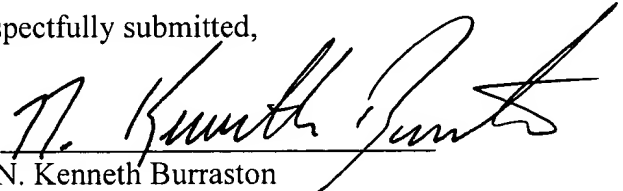
Sir:

Throughout prosecution of the above-identified patent application, pursuant to 37 C.F.R. § 1.25(b), where no check is received by the Commissioner, Applicants authorize and request the Commissioner to charge all fees due at any time during the pendency of the above-identified application (or to credit any overpayment) to Deposit Account No. 50-0843, account name Kirton & McConkie (Order No. 12439-0067).

Respectfully submitted,

Date: January 18, 2005

By

  
N. Kenneth Burraston  
Reg. No. 39,923

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